

LFC Requester:**Jonas Armstrong****AGENCY BILL ANALYSIS
2016 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:****LFC@NMLEGIS.GOV***and***DFA@STATE.NM.US***{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}**Check all that apply:***Original** ☒ **Amendment** ☐**Correction** ☐ **Substitute** ☐**Date** 01/26/16**Bill No:** Senate Bill 173**Sponsor:** Senator Carlos R. Cisneros**Agency Code:** 305**Short** Interstate Mining Compact Act**Person Writing** Ismael L. Camacho, AAG**Title:** _____**Phone:** 575-526-2280 **Email** ICamacho@nmag.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE**BILL SUMMARY**

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

Senate Bill 173 is a proposed Interstate Mining Compact Act with six sections: section 1 is the short title; section 2 contains its findings and purpose; section 3 contains the compact membership; section 4 is the limitation of the compact; section 5 has the expenses of compact; and section 6 contains the general power of the Governor and the withdrawal of the compact requirement.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

Senate Bill 173 contains no articles or sections to take effect upon congress has by law consented to this compact. As provided under Article I, section 10, of the United States Constitution – requiring Congressional approval.

Senate Bill 173 section 6(B) requires the governor's written notice, to the governors of all other members, and legislative's repeal to withdraw from the Interstate Mining Compact. However, Senate Bill 173 does not make it clear if upon the governor's written notice that the legislature must then repeal the Interstate Mining Compact. Although what is clear is that, both the governor's written notice and legislative repeal are both required to withdraw from the Interstate Mining Compact Act.

PERFORMANCE IMPLICATIONS

Senate Bill 173 has limited impact on the Attorney General to the extent that the attorney general shall appoint a counsel as needed to support the enforcement of the state mine inspector's office and the duties of the state mine inspector and the bureau of mine safety. See NMSA 1978, §69-5-23.

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None known at this time.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A